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9 Attorneys for Plaintiff

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 OAKLAND DIVISION

13 UNITED STATES OF AMERICA, ) No. CR-09-901 SBA  
14 Plaintiff, ) STIPULATION AND ORDER TO  
15 v. ) CONTINUE STATUS CONFERENCE  
DWEN CURRY, ) AND EXCLUDE TIME UNDER THE  
16 Defendant. ) SPEEDY TRIAL ACT  
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19 IT IS HEREBY STIPULATED AND AGREED between the plaintiff through its  
20 attorney, Joshua Hill, and the defendant through his attorney, Nina Wilder, that the status hearing  
21 presently set for May 18, 2010, be continued to June 8, 2010 at 9:00 a.m. The request for a  
22 continuance is due to the parties' continued discussion of the scope of additional discovery that  
23 must be available for review in this case. At the request of defense counsel, the government is  
24 conducting additional investigation concerning the loss amount in this case and the number of  
25 victims, which could impact the Guidelines calculation. Defense counsel continues to engage in  
26 investigation. The parties agree that the delay is not attributable to lack of diligent preparation  
27 on the part of the attorney for the government or defense counsel. For these reasons, the parties  
28 request that time under the Speedy Trial Act be excluded based on the government's need for

1 reasonable time necessary for effective preparation, taking into account the exercise of due  
2 diligence. The parties agree that the waiver covers all time between the date of this stipulation  
3 and June 8, 2010.

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5 IT IS SO STIPULATED:

6 Dated: May 11, 2010

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/S/  
NINA WILDER  
*Attorney for Defendant*

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8 Dated: May 11, 2010

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/S/  
JOSHUA HILL  
Assistant United States Attorney

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11 **ORDER**

12        GOOD CAUSE HAVING BEEN SHOWN, it is hereby ordered that the hearing in this  
13 matter now scheduled for May 18, 2010 is hereby rescheduled for June 8, 2010 at 9:00 a.m.  
14 Based upon the representation of counsel and for good cause shown, the Court also finds that  
15 failing to exclude the time between May 11, 2010 and June 8, 2010 would unreasonably deny the  
16 government and the defense the reasonable time necessary for effective preparation, taking into  
17 account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds  
18 that the ends of justice served by excluding the time between May 11, 2010 and June 8, 2010  
19 from computation under the Speedy Trial Act outweigh the best interests of the public and the  
20 defendant in a speedy trial. Therefore, it is hereby ordered that the time between May 11, 2010  
21 and June 8, 2010 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. §§  
22 3161(h)(7)(A) and (B)(iv).

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24 DATED: May 13, 2010

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HONORABLE SAUNDRA B. ARMSTRONG  
United States District Court Judge

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